

REMARKS

In response to the Office Action, Claims 1-18 are amended. No claims are added or cancelled. Claims 1-18 remain in the application.

Requirement regarding Priority Claim

To comply with the Examiner's request under 35 U.S.C. 119(b), Applicants have requested certified copies of Korean applications 10-2002-0062962 and 10-2003-0071345 and will submit the copies upon receipt.

Objection to the Drawings

In compliance with the Examiner's request, Applicants submit replacement sheets of Figures 5 and 6. The reference sign 201 in Figure 5 has been replaced with 103, and a legend "Prior Art" has been added to Figure 6. A corrected drawing sheet is enclosed. Withdrawal of the objection is requested.

Rejections of the Claims under 35 U.S.C. § 102

Claims 1, 4, 10, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by MPEG-21 Overview v. 4 ("MPEG-21").

Applicants amend independent Claims 1 and 10 to incorporate a portion of Claim 2 to include the element of "wherein the audio adaptation means performs a convolution of an audio content of the audio signal with an impulse response characterized by the sound field preference of the user." This amendment is supported by the specification, for example, at page 14, lines 1-20 and FIG. 5 of the present application.

The Examiner relies on MPEG-21 for disclosing the MPEG-21 standard, which describes digital items that support accessibility to different users having different user characteristics (e.g., preferences to media resources, preferences regarding the presentation of media resources, etc.). MPEG-21 does not disclose that the preferences can be expressed as an impulse response. Thus, MPEG-21 does not anticipate amended Claims 1 and 10, as well as their respective dependent claims, namely, Claims 4 and 13.

In the rejection of Claim 2, the Examiner further relies on Trivi for disclosing the use of an impulse response in an environmental model (FIG. 1), as well as the use of

perceptual parameters on the model. However, Trivi does not disclose that a convolution is performed on an audio content and an impulse response characterized by the sound field preference of the user. Thus, MPEG-21 and Trivi does not teach or suggest each of the elements of Claims 1, 4, 10 and 13. Accordingly, withdrawal of the rejection of Claims 1, 4, 10 and 13 is requested.

Rejections of the Claims under 35 U.S.C. § 103

A. Claims 2, 3, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over MPEG-21 in view of “Rendering MPEG-4 AABIFS Content Through a Low-Level Cross-Platform 3D audio API,” by Trivi, et al. (“Trivi”).

Claims 2, 3, 11, and 12 depend from Claims 1 and 10, respectively. Thus, for at least the reasons mentioned above in regard to Claims 1 and 10, MPEG-21 in view of Trivi does not teach or suggest each of the elements of these dependent claims. Accordingly, withdrawal of the rejection of Claims 2, 3, 11, and 12 is requested.

B. Claims 5-9 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over MPEG-21 in view of “Design and Evaluation of Digital Filters Applied to Loudspeaker/Room Equalization,” by Rubak, et al. (“Rubak”).

Claims 5-9 and 14-18 depend from Claims 1 and 10, respectively. Thus, for at least the reasons mentioned above in regard to Claims 1 and 10, MPEG-21 does not teach or suggest each of the elements of these dependent claims.

Rubak does not supply the missing element in MPEG-21. Rubak discloses the equalization of loudspeaker/room responses by using inverse filters based on measured loudspeaker/room impulse responses combined with room and psychoacoustic knowledge (Abstract and 1.2). However, Rubak also does not disclose that a convolution is performed on an audio content and an impulse response characterized by the sound field preference of the user. Thus, Claims 5-9 and 14-18 are non-obvious over MPEG-21 in view of Rubak. Accordingly, withdrawal of the rejection of Claims 5-9 and 14-18 is requested.

Double Patenting

Claims 1-10 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1 and 22 of copending U.S. Application 10/512,952. Applicants submit that the amendments to Claims 1-10 contain subject matter not disclosed in the copending Claims 1 and 22. Thus, the amendments have overcome the double patenting rejection. However, Applicants reserve the right to file a terminal disclaimer if the claims are otherwise allowable.

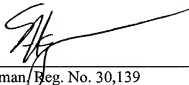
CONCLUSION

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

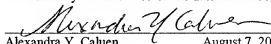
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August 7, 2008